



500.37400CV4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: F. ITO et al.  
Application No.: 10/734,115  
Filed: December 15, 2003  
For: SEMICONDUCTOR DEVICE  
Art Group of Parent: 2827  
Examiner of Parent: A. Chambliss

**TERMINAL DISCLAIMER**

**MS: AMENDMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 24, 2005

Sir:

Through its undersigned attorneys, Hitachi, Ltd., having a principal place of business at 6, Kanda Surugadal 4-chome, Chiyoda-ku, Tokyo 101, Japan, represent that as a result of an assignment recorded in the United States Patent and Trademark Office at Reel 014559, Frame 0822, they are the owners of 100% of the interest in the above-identified patent application.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said patent application which would extend beyond the full statutory term of U.S. Patent Number 6,803,258. Petitioner hereby agrees that any patent so granted on said patent application shall be enforceable only for and during such period that such patent and the above-listed patent are

10/25/2005 SZEWDIE1 00000152 10734115

02 FC:1814

130.00 OP

commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer petitioner does not disclaim any terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term of the above-listed patent in the event that the above-listed patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

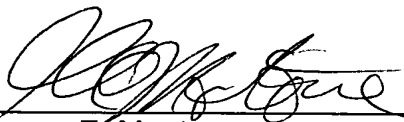
The undersigned specifies that the evidentiary documents have been reviewed and certifies that, to the best of his knowledge and belief, title is in the assignee seeking to take this action.

The undersigned attorneys are empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 501.37400CV4) and please credit any excess fees to such deposit account.

Respectfully submitted,  
**ANTONELLI, TERRY, STOUT & KRAUS, LLP**

By   
Gregory E. Montone  
Reg. No. 28,141

GEM/dks  
N:\1374\37400CV4\TER\CI1405.DOC  
(703)-312-6600